

**TO:** Whatcom County Council

**FROM:** Peter Frazier, Co-Chair IPRTF

**DATE:** November 4, 2025

**RE:** Framework for Behavioral Care Center – Model & Location Decision

## Background

The Whatcom County Justice Project Implementation Plan calls for the development of a Behavioral Care Center (BCC) to serve as an alternative to jail for individuals eligible for prosecutorial diversion. The BCC is a key complement to the new jail and the broader behavioral-health and criminal-legal system reforms envisioned under Ordinance 2023-039.

The BCC's policy goal is straightforward:

*Provide a clinically effective, community-based alternative to incarceration for people whose legal involvement is driven by behavioral-health needs—reducing jail strain while protecting public safety and enabling recovery.*

At the September FFAB meeting, members requested additional analysis and coordination with the Incarceration Prevention and Reduction Task Force (IPRTF) to determine (1) whether the facility should be in-custody or out-of-custody, and (2) whether it should be located at LaBounty (co-located with the jail) or at Division Street (co-located with behavioral-health services).

## IPRTF Behavioral Care Center Workgroup Process

- **March 31** – Workgroup formed under the IPRTF.
- **May 19 – Sept 5** – Met regularly with legal, clinical, and operational partners to examine models, including Nashville's Behavioral Care Center.
- **Aug 25** – Legal subgroup agreed on framework for four prosecutorial diversion entry points.
- **Sept 5** – Final recommendation adopted unanimously.
- **Oct 9 & Oct 27** – FFAB and IPRTF each advanced motions endorsing an *out-of-custody* model, with *location to be further reviewed*.

Participants included representatives from the Sheriff's Office, Prosecutor's Office, Superior Court, Public Defense, Health & Community Services, and community members.

## Workgroup Recommendation

Adopt an out-of-custody Behavioral Care Center integrated within an off-site behavioral-health campus.

## Model Elements

- Serves as an alternative to incarceration through true prosecutorial diversion.
- Provides inpatient, therapeutic, and community-based treatment.
- Includes four legal entry points (pre-charging through post-disposition).
- Ensures capacity for diversion referrals across court systems.
- Integrates with crisis response and in-custody behavioral-health programs to form a hybrid continuum.
- Structured for Medicaid reimbursement eligibility and long-term financial sustainability.

The Workgroup further recommends advancing this model for inclusion in Justice Project implementation planning and cost analysis.

## Policy and Fiscal Overview

### 1. Model: In-Custody vs Out-of-Custody

- **Out-of-custody benefits:**
  - Eligible for Medicaid/Medicare/private-insurance reimbursement.
  - Enables upstream and mid-stream intervention (pre-booking to sentencing).
  - Aligns with community-based continuum and reduces jail utilization.
- **In-custody limitations:**
  - No insurance reimbursement; full local cost burden.
  - Restricted to post-booking population.

**Consensus:** Out-of-custody facility, with in-custody behavioral-health services continuing at the jail to serve ineligible individuals (*a hybrid continuum*).

### 2. Location: LaBounty vs Division Street

- **Division Street Campus** – Proximity to crisis stabilization, detox, and inpatient services; builds a full continuum of care.
- **LaBounty Site** – Simplifies custody transfer and security logistics; distant from core behavioral-health services.

**Status:** Ongoing review. STV is conducting comparative construction cost and operational capacity analyses for both sites. *Transportation and staffing considerations remain under discussion.*

## Next Steps

- **Cost & Operational Analysis:** STV will deliver comparative cost models for both potential sites.
- **Crisis-Service Integration:** Coordination with North Sound BH-ASO and state partners on co-locating crisis stabilization, 23-hour, or BH urgent-care components.

- **Council Presentation:** November 6, 2025 — Presentation of the BCC model and process outcomes for Council information and feedback.

### **Requested Action**

The Whatcom County Council is asked to affirm the IPRTF Workgroup's recommendation to proceed with an out-of-custody Behavioral Care Center and to provide guidance on location preference once cost and operational analyses are complete.